

**REGULAR MEETING OF THE  
BRIGHAM CITY COUNCIL  
SEPTEMBER 18, 2008**

PRESENT:	Lou Ann Christensen	Mayor
	Bruce Christensen	Councilmember
	Scott Ericson	Councilmember
	Reese Jensen	Councilmember
	Ruth Jensen	Councilmember
	Bob Marabella	Councilmember ( <i>arrived at 7:30 p.m.</i> )
ALSO PRESENT:	Rick Bosworth	Human Resource Coordinator
	Mark Bradley	City Planner
	Blake Fannesbeck	Public Works Director
	Jared Johnson	Community Development Manager
	Bruce Leonard	City Administrator
	Tyler Pugsley	Assistant Public Works Director
	Dennis Sheffield	Finance Director/Deputy City Recorder
	Paul Tittensor	Chief of Police
	Alan Wright	Public Power Director
EXCUSED:	Mary Kate Christensen	City Recorder

Mayor Christensen called the meeting to order. The Reverence Period was given by Alan Wright. The scouts in the audience led the Pledge of Allegiance.

Approval of Minutes: Councilmember Christensen noted that in the August 21, 2008 minutes, page 4, it states "be hinder while she was in the driveway." It should state, "*behind her* while she was in the driveway. Also on page 9 "responsive arms" should be "*crossing* arms." A motion to approve the minutes of August 21, 2008 Council meeting and Executive Session as amended was made by Councilmember Reese Jensen. The motion was seconded and carried.

**PRESENTATIONS**

**Individual Ambassador Award**

Mayor Christensen announced that Mr. Tom Ammons, Energy Conservation Specialist, was the recipient of this quarter's award. Mr. Ammons assists customers who have high power bills, evaluates the causes and gives suggestions to reduce usage which includes energy saving audits. He has encouraged many residents to replace ordinary light bulbs with energy efficient bulbs. He has developed informative flyers which have been included in the utility billing statements and news articles which have been published in the News Journal. He has contacted each elementary school and prepares an energy/safety conservation demonstration in the schools. His conservation efforts have realized a savings to the City of 43,297 kWh through the light bulb conservation program and 268,114 kWh with the refrigerator rebate program. The total kWh savings from these two projects was 311,411 kWh which waived the City \$5,425 in purchase of electricCity from Rocky Mountain Power. In addition, the resale of the saved kWh netted the City \$23,500. He is also a team player. He helped with work orders when necessary and took a crash course in reading commercial meters when Claire Edmondson was on medical leave. Tom accepted this additional work load above and beyond his job description to be of assistance in a pinch. Mr. Ammons is very efficient in keeping the Electrical Department's GIS mapping up-to-date by reviewing new installation of poles and transformers. As new subdivisions are developed, he makes sure all electrical lines and equipment are identified on the City maps. Tree trimming is a big cost to the City and Tom keeps a record of all trees trimmed within the year. This step helps the department track the tree problems from year to year.

**Team Ambassador Award**

The Team Ambassador Award was presented to the Snow Removal Crew, including Mike Baker, Shane Bradford, James Brower, Jason Christensen, Boyd Cook, Mike Kilburn, Robert NeVillie, Richard Ricks, Eldon Thompson, Roger Watkins, and Pete Young. The winter season of 2008 found City crews ready and willing to work on keeping City streets, parking lots and sidewalks safe and clear. Snow removal meetings were held and all employees were reminded of basic safety issues and City departments were prepared for the upcoming snow storms. What was unexpected was the substantial snow fall we received along with record

snow storms, some following right after another. Although this type of storm activity hadn't been seen for approximately 20 years, City crews stepped up working a total of 2,308 hours. There were several employees who worked at the minimum of 75 hours with others who worked up to 207 hours at snow removal.

Mayor Christensen presented the agenda as follows:

**PUBLIC COMMENT**

**PUBLIC HEARING**

Increase the Mayor's Salary by \$5,000

**CONSENT**

Request for Authorization to Hold Cultural Plan Work Session October 30 at 5:30 pm in the City Council Chambers

Appointments to Serve on the Audit Committee for the 2008-2009 and 2009-2010 Years

Appointment and Re-Appointment to the Brigham City Library Board

Appointment and Re-Appointment to the Advisory Council on Aging

Re-Appointments to the Brigham City Economic Development Board

Re-Appointments to the Brigham City Recreation Commission

Re-Appointment to the Brigham City Golf Course Commission

Promotion in the Fleet Department

New Hire, Golf Course Division

New Hire, Administration Department

Approval of a Resolution Authorizing an Employer Pick-Up of Employee Retirement Contributions

Approval of Resolution if Brigham City Implementing the Irrevocable Election to Provide the Annual Cost-of-Living Adjustment Under §49-14-403(2) and §49-15-403(2)(b), in Lieu of the Annual Cost-of-Living Adjustment under §49-14-403(2)(a) and § 49-15-403(2)(a) for Current and Future Retirees. Increase Over and Above What is Paid to Other City Employees to be Paid by Brigham City Police Department Participants. The Public Safety Contribution Rates Will Change Effective January 1 of the Year Following this Election

Request to Write Off Accounts Due to Customer Taking Out Bankruptcy or Being Sent to Collections

Re-Appointment to Public Utility Advisory Board

**SCHEDULED DELEGATION**

Proclamation Declaring Credit Union Week

Update on 2006 Olympian Legacy Grant

**NEW BUSINESS**

Request Approval of an Ordinance of Brigham City Amending Section 2.01.040 of the Brigham City Code to Provide for an Increase to the Salary of the Mayor

Culinary Water and Waste Water Infrastructure Development Agreement Between Brigham City and Procter & Gamble

Report on Box Elder Narcotics Strike Force Statistics and Findings of FY 2006-07 Audit

Approval of Ordinance Designating all Public Roads in the Jurisdictional Limits of Brigham City as Open for Street-Legal All Terrain Vehicles

Request Authorizing Agreement Between Perry City and Brigham City Stipulating the Requirements of the two Cities for the 1200 South Street Between Commerce Way and 450 West

**UNFINISHED BUSINESS**

Consideration for Adoption of a Resolution of the City Council of Brigham City Authorizing and Approving the Execution by the City of an Interlocal Cooperation Agreement Between the City and the Box Elder County Redevelopment Agency and Any Other Documents Required in Connection Therewith; Authorizing and Approving the Taking of All Other Actions Necessary to the Consummation of the Transactions Contemplated by This Resolution; Providing for the Publication of a Notice of Agreement; Providing a Severability Clause; Repealing Resolutions in Conflict; Providing an Effective Date; and Related Matters

Alternate Work Week Discussion

**PLANNING COMMISSION BUSINESS**

Request to Approve a Deferring Public Improvement Agreement for Sidewalk at 94 East Skyline Dr, Lot 2, of the Proposed Skyline Commercial Subdivision

Request to Approve a Deferring Public Improvement Agreement for Sidewalk at 447/485 South 200

West (Lot 1 & 3) of the Proposed Beeton Subdivision  
Vacation of Lot 1, Greener Pasture Subdivision Phase 1, Lot 1 Located at Approximately 1045 South  
800 West  
Preliminary Plat for the Maple Springs Subdivision Located at Approximately 1000 South Medical  
Drive  
Zone Change Request from A-5 to R-R-1

**MAKING LIFE BETTER - DEPARTMENT REPORTS**

**OTHER BUSINESS**

Training on the Leader's Role in Creating a Prepared and Vigilant Community  
National Mental Health Awareness Week

**CLAIMS**

Payment Register

Councilmember Christensen made a motion to approve the agenda as amended. The motion was seconded and carried unanimously.

**PUBLIC COMMENT**

Alena Pierce - Ms. Pierce from the Bear River Mental Health Department stated that she has been involved with the Communities That Care Program since its inception six years ago. It has been a great opportunity to work with different agencies in the community. One of the main aspects of this program is the opportunity for businesses and agencies to come together and work on projects. They have worked on a variety of concerns, all focusing on building up the youth and making the community a more healthy, safe place to grow. They have been able to join agencies together.

**PUBLIC HEARING**

**Increase the Mayor's Salary by \$5,000.00**

Mayor Pro Tem Jensen gave some background as to the rationale the Council considered in making a recommendation that the Mayor's salary be increased. When they went through the regular budgeting process, the Council discussed the Mayor and Council salaries. The Council elected to take no action on the Council salaries but they did feel justified in appropriating money for an increase in the Mayor's salary and they put that in the budget, however, they chose not to take any action at that time pending a survey of other cities who are governed by a part-time Mayor. A survey was conducted of 25 cities in Utah who have a part-time Mayor. The results from that survey indicated that salaries for part-time Mayors ranged from \$6,000 to \$22,000 per year. This survey was taken into consideration as well as other things in making the decision to increase the Mayor's salary. The last time there was an increase in the Mayor's salary was approximately eight years ago.

Mayor Pro Tem Jensen stipulated that the increase in the Mayor's salary is not an increase for Mayor Christensen but a salary increase for the position of Mayor of Brigham City. He added that Mayor Christensen has been very quick to recuse herself from any discussion pertaining to this issue. Therefore she has not been a part of those discussions in any way.

The Council determined that over the last few years the time demands of the position of Mayor of this City has increased significantly. Many of the issues the City is required to deal with are much more complex than they used to be. More time and careful planning is required to properly manage growth and economic development in our City which is critical to the future of this City. It was determined that State legislation is affecting our social, environmental and natural resources and these issues put a greater demand on compliance requirements for all cities. These issues have required that the Mayor take a more active role in State boards and committees as well as on the Board of the Utah League of Cities and Towns in order to have input to the legislation that eventually effects the cities.

The Council also concluded that the position of Mayor of Brigham City has gained prominence at the State level which benefits the residents of the City indirectly. That prominence has been instrumental in obtaining state and federal money which has been brought into our City, the value of which far exceeds the Mayor's salary. Based on that information and the facts that the Council considered, they felt justified in taking action

to move forward with increasing the Mayor's salary from the current rate which is \$10,353 per year to \$15,000 per year to be retroactive to the beginning of this budget fiscal year which is July 1, 2008.

MOTION: Councilmember Christensen moved to open the public hearing. The motion was seconded by Councilmember Bob Marabella and carried unanimously. There was no public comment. Councilmember Scott Ericson moved to close the public hearing. The motion was seconded by Councilmember Bob Marabella and carried unanimously.

## **CONSENT**

### **Request for Authorization to Hold Cultural Plan Work Session October 30 at 5:30 pm in the City Council Chambers**

#### **Appointments to Serve on the Audit Committee for the 2008-2009 and 2009-2010 Years**

It was recommended Councilmember Ruth Jensen and Councilmember Christensen serve on the Audit Committee for the 2008-09 and 2009-2010 years.

#### **Appointment and Re-Appointment to the Brigham City Library Board**

It was recommended that Bill Frye be reappointed to the Library Board and Wayne McConkie be appointed to the same Board.

#### **Appointment and Re-Appointment to the Advisory Council on Aging**

It was recommended Dorothy Pierce, Ed Brightenburg be reappointed to the Advisory Council on Aging and Radene Morgan serve on the same Council.

#### **Re-Appointments to the Brigham City Economic Development Board**

Ron Germer and Tom Shaw were recommended for reappointment to the Economic Development Board.

#### **Re-Appointments to the Brigham City Recreation Commission**

Ron Papworth and Marian Braithwaite were recommended to serve another term on the Recreation Commission.

#### **Re-Appointment to the Brigham City Golf Course Commission**

It was also recommended Jerry Clark be reappointed to the Golf Course Commission.

#### **Promotion in the Fleet Department**

Jason Ketsdever was recommended for promotion to Shop Supervisor, Grade 52, effective September 22, 2008.

#### **New Hire, Golf Course Division**

It was recommended the Council approve Randy Hansen as full-time Grounds Maintenance Work I, Grade 36, effective September 22, 2008.

#### **New Hire, Administration Department**

Darla Kay was recommended for hire as a part-time Telephone Operator, Grade 24, effective September 22, 2008.

#### **Approval of a Resolution Authorizing an Employer Pick-Up of Employee Retirement Contributions**

This resolution authorizes the City to pick up the employees retirement contributions related to the Utah State Retirement System.

#### **Approval of Resolution if Brigham City Implementing the Irrevocable Election to Provide the Annual Cost-of-Living Adjustment Under §49-14-403(2) and §49-15-403(2)(b), in Lieu of the Annual Cost-of-Living Adjustment under §49-14-403(2)(a) and § 49-15-403(2)(a) for Current and Future Retirees Increase Over and Above What is Paid to Other City Employees to be Paid by Brigham City Police**

**Department Participants. The Public Safety Contribution Rates Will Change Effective January 1 of the Year Following this Election**

This resolution provides needed documentation to the Utah Retirement System that the City approved a cost-of-living adjustment for public safety employees.

**Request to Write Off Accounts Due to Customer Taking Out Bankruptcy or Being Sent to Collections**

A list of accounts totaling \$5,735.92 was presented to be removed from the City's system due to the customer taking out bankruptcy or being sent to collections.

**Re-Appointment to Public Utility Advisory Board**

It was recommended Larry Boyer be appointed to serve another term on the Public Utility Advisory Board

MOTION: A motion to approve the Consent Agenda was made by Councilmember Marabella, seconded Councilmember Ericson. Councilmember Christensen stated that he talked with the Director of Finance and the Billing Clerk regarding the Request to Write Off Accounts that is on the agenda every month. He felt that there is an opportunity to tighten up the collection process and recommended that a Task Force be formed to look at this and see if there is more the City can do. This will be looked at sometime in the future. The motion unanimously carried.

**SCHEDULED DELEGATION**

**Proclamation Declaring Credit Union Week**

Mr. Barber was not in attendance to discuss this item.

**Update on 2006 Olympian Legacy Grant**

Ms. Kristen Barlow, representing the Dream Pointe Ballet Company, came forward and stated that they used the money received from the 2006 Olympian Legacy Grant to produce the ballet "Cinderella."

The Dream Pointe Ballet Company was founded in 2000 and received a non-profit status in December 2005. The purpose of this company is to produce artistic cultural events for the community and educate the public in the art of ballet and the performing arts. It also provides performing opportunities for the youth in a full length ballet.

They plan to perform "The Nutcracker" every year. This year it will be held on December 6 and 8 at Box Elder High School.

She added that only 50% of the funding for these productions come from ticket sales. The rest comes from grants, memberships and sponsors.

**NEW BUSINESS**

**Request Approval of an Ordinance of Brigham City Amending Section 2.01.040 of the Brigham City Code to Provide for an Increase to the Salary of the Mayor**

Councilmember Ruth Jensen commented that the way the resolution is written it appears that it has been decided that the compensation of the Mayor will be increased by \$5,000 annually. It needs to be worded differently.

She stated that she understands that the position of Mayor is an important one for the City to thrive but it also needs to be remembered that no one else has received a 50% increase. The council should keep everyone else in mind as well. She also pointed out that the Mayor did not want to increase her salary but Councilmembers Marabella and Ericson brought it to the Council's attention and recommended it be increased.

Councilmember Marabella said in previous years City employees across the board received annual increases. He participated in those discussions and when the budgets were tight, the Council and Mayor did not receive

increases every single year. It would be interesting to go back and see if the Council had given the Mayor the same increase that all the City employees had been given over the past eight years, where her salary would be now. He compared it to utility increases that are not done for years and then all of a sudden when an increase is necessary, it is painful to everyone. He felt that there should be a long-term plan. He said it is important to understand that the public interprets an increase to be huge when in reality if they go back eight years and break it down into percentages it would be much easier to understand.

Councilmember Ericson commented that the reason this issue was brought up is that in the future there will be people who consider running for Mayor and the salary should not be one of the things that deters them. The Mayor is spending 30 to 50 hours a week doing City work. Mayor Christensen is in a position that she can do that; however, future Mayors may not be able to take that much time away from their work without being compensated for it.

Councilmember Marabella illustrated that currently Mayor Christensen's salary, which is considered part-time, is \$4.95 per hour and this increase would bring that up to \$7.35 per hour. This is calculated at 20 hours per week.

There was confusion as to another \$5,000 potential increase already being budgeted for next year but it would have to go through a public hearing process if they wanted to increase it next year.

MOTION: Councilmember Marabella moved to approve the resolution increasing the Mayor's salary \$5,000. The motion was seconded by Councilmember Ericson. The voting was as follows:

Councilmember Marabella - aye  
Councilmember Ericson - aye  
Councilmember Christensen - aye  
Councilmember Reese Jensen - aye  
Councilmember Ruth Jensen - nay

The motion carried with a vote of 4-1.

#### **Report on Box Elder Narcotics Strike Force Statistics and Findings of FY 2006-07 Audit**

Lt. Dennis Vincent came forward and stated that the Governing Board of the Narcotics Strike Force consists of Chief Tittensor, Chief Dave Nance and the County Sheriff. Lt. Vincent is the Commander and Sgt. Jim Summerhall is the Field Commander. There are currently three full-time agents, a part-time agent and a part-time secretary.

Last year they received funding from a state grant of \$75,000. Of this, \$36,574.56 pays for the secretary position and the agents' overtime; \$20,000 for supplies and operating expenses; \$12,238 for travel and training; \$5,900 for confidential informant funds.

They are required to have an audit every year. This year's audit was completed in August. There were a few minor findings. One of their part-time agents was issued \$780 on July 1, 2006 and returned that amount on June 30, 2007 without spending anything. The auditors felt that if he was not going to spend the money it should not have been given to him.

Another finding was that Brigham City's Police travel policy is confusing and the auditors stated that the Agency follows the State of Utah Travel Policy but mentions using the GSA rates for per diem. They now follow the government per diem when they travel, which is less than the City's allowed per diem. This policy will be changed.

The auditors stated that they were "very impressed with the record keeping of the Strike Force accounts."

#### **Approval of Ordinance Designating all Public Roads in the Jurisdictional Limits of Brigham City as Open for Street-Legal All Terrain Vehicles**

Chief Tittensor stated that at the last legislative session a bill was passed dealing with off road vehicles on public roadways. This stipulates that the vehicle must be registered in the State of Utah as an off-highway

street legal vehicle. This means the vehicle must have brakes, lights, mirrors, turn signals, etc. It also requires that the operators have a driver's license. All traffic laws apply. It cannot be operated on or across an interstate or on a limited access highway. They must follow the posted speed limit but not more than 45 miles per hour. The law also requires that drivers follow the motorcycle rules regarding helmets.

MOTION: Councilmember Christensen made a motion to approve the ordinance designating all public roads in Brigham City as open for street-legal all terrain vehicles, seconded by Councilmember Marabella. Voting was as follows:

Councilmember Christensen - aye

Councilmember Ericson - aye

Councilmember Marabella - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

**Request Authorizing Agreement Between Perry City and Brigham City Stipulating the Requirements of the two Cities for the 1200 South Street Between Commerce Way and 450 West**

Mr. Jared Johnson came forward and explained that this agreement is one of the steps needed to obtain permanent access status on 450 West. It is a 66' right-of-way with 33' in Brigham City and 33' in Perry. This agreement does not bind Brigham to construct a road or install any utilities, it just stipulates which City will provide what service when developers build and expand. Perry will do its own water and so will Brigham. Brigham will take all of the storm water, both on the Brigham and Perry side. Brigham will provide its own electrical service; Perry will receive theirs from Rocky Mountain Power. Perry requested that Brigham provide the sanitary sewer system for the Perry side, with the stipulation that they have the right to take it once their sewer plant is running.

MOTION: Councilmember Marabella made a motion to approve the agreement between Perry City and Brigham City stipulating the requirements of the two cities for the 1200 South Street between Commerce Way and 450 West. The motion was seconded by Councilmember Christensen. Councilmember Ruth Jensen asked about the paragraph stating that Perry will charge Brigham City for snow removal. Mr. Johnson replied that the agreement states that "Brigham City will be responsible for the maintenance of the entire road width and the right-of-way on the north side of the curb and gutter. Perry City will be responsible for the maintenance of the right-of-way on the south side of the gutter." He explained that as Brigham City provides maintenance on the road, Perry will share in the cost of that maintenance. As Perry provides snow removal, Brigham will share in the cost of that.

Councilmember Christensen - aye

Councilmember Ericson - aye

Councilmember Marabella - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Motion carried unanimously.

**UNFINISHED BUSINESS**

**Consideration for Adoption of a Resolution of the City Council of Brigham City Authorizing and Approving the Execution by the City of an Interlocal Cooperation Agreement Between the City and the Box Elder County Redevelopment Agency and Any Other Documents Required in Connection Therewith; Authorizing and Approving the Taking of All Other Actions Necessary to the Consummation of the Transactions Contemplated by This Resolution; Providing for the Publication of a Notice of Agreement; Providing a Severability Clause; Repealing Resolutions in Conflict; Providing an Effective Date; and Related Matters**

Mr. Sheffield approached the council and explained that this resolution is for the Procter and Gamble project. The City obtained financing from the Community Impact Board (CIB) and the Department of Water Resources to finance this project. The security for the project was going to be from the tax increment generated by P&G. The City had to have an interlocal agreement with the County to transfer the tax increment from the County

RDA to the City. The agreement also states that the City will provide the water and sewer line for P&G and P&G will build a plant sufficient to generate the tax increment to pay the debt service. If that evaluation does not generate the needed tax increment, P&G will pay the difference.

In order to meet the deadline required by P&G to get the water and sewer line to their plant, the City started on construction of the lines. The County and P&G assured the City that these agreements would be negotiated. However, the County did not have a low income housing plan nor did they realize that they would be required to pay 20% of the tax increment into the Oleen Walker Trust for low income housing. The City has already received pay requests from the contractors for this project and has paid the requests from a water, sewer and electric revenue bond. This agreement is P&G's portion of the above discussion and verbal agreements.

The County is trying to obtain a waiver regarding the Oleen Walker Trust. Without these two agreements the City cannot get bond anticipation notes.

Matthew Donnier came forward and said that P&G is very committed to the project. They have already spent a third of their project budget on a paper machine, so they are well into the project. P&G representatives will meet in Salt Lake City on September 24 to work out all these issues.

MOTION: Councilmember Ericson moved to adopt the resolution between Brigham City and the Box Elder County Redevelopment Agency for the Wakegan pipeline, authorizing and approving the execution by the City of an interlocal cooperation agreement between the City and the Box Elder County Redevelopment Agency and any other documents required in connection therewith; authorizing and approving the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; providing for the publication of a notice of agreement; providing a severability clause; repealing resolutions in conflict; providing an effective date; and related matters. The motion was seconded by Councilmember Reese Jensen.

Councilmember Christensen - aye

Councilmember Ericson - aye

Councilmember Marabella - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Motion carried unanimously.

#### **Culinary Water and Waste Water Infrastructure Development Agreement Between Brigham City and Procter & Gamble**

MOTION: A motion to table this item was made by Councilmember Reese Jensen, seconded by Councilmember Marabella and unanimously carried.

#### **Alternate Work Week Discussion**

Mr. Rick Bosworth came forward and said they had a good response from the survey they distributed to employees. Approximately 147 employees received the survey and 118 were returned.

Councilmember Reese Jensen said the responses were very varied, both from the directors and the employees.

Councilmember Marabella said Governor Huntsman put state employees on a 4-10 work schedule because it would cut down on emissions with fewer cars on the road and would save money. However, Brigham City employees do not commute long distances and the cost savings would not be a factor because the heating and lights in City Hall would have to remain on because the Police Department cannot be closed. He felt it comes down to whether the Council wants to add this as an employee benefit.

Councilmember Ericson said the item on the survey that states, "The 4-10 schedule should be flexible for individual department needs" is more than 20% higher than the other items. He felt it was important that the



council not mandate that every department be on 4-10s.

Councilmember Christensen said 46% of those taking the survey stated that they the best schedule would be no change in the current schedule, 40% disagreed, 14% said they were not sure. This indicates only 40% of the employees want to change the schedule.

Councilmember Reese Jensen stated that he did not think the right answer is necessarily what is popular with the employees. The council needs to do what is in the best interests of the residents, not just the employees. He agreed that what is good for one department is not necessarily what is good for another department. Another consideration is that whatever is done should show a cost savings because that is why the Council is looking at it, and service should not be compromised. Councilmember Christensen added that only 38% of those taking the survey felt that 4-10s would have a positive impact on customers.

Councilmember Ruth Jensen agreed that it should be flexible for each department. Some departments have acknowledged that 4-10s will not work in their department.

Tom Peterson from the Employee Coordination Committee said this question was a little confusing on the survey. A lot of them prioritized them instead of choosing one.

Mayor Christensen said as she reviewed the department directors' comments, her biggest concern is whether this can be done without compromising services. The Cemetery, Electric Department, Golf Course, Leisure Services, Senior Center, Museum, Library, and Recreation all said they could not do 4-10s. The Mayor's Office and Economic Development were some departments that were willing to try 4-5-9s. The Police Department was willing to go to the ten hour rotating work week. The only departments that said they liked the 4-10s was Public Works, Human Resources and the Police Department Administration. Councilmember Ericson said a lot of the departments that said the 4-10s would not work in their department already have some flexibility in how they schedule their employees and they have the perception that they will *have* to go to 4-10s. If the Council allows the departments to have some flexibility he felt there would be a better response from those departments.

Mayor Christensen said her concern with Public Works going to 4-10s is the cost for the overtime. Councilmember Marabella said he is also concerned about this. If there is a bad snowstorm on Friday or Saturday and employees have already worked ten hours, it would add more overtime. It would also cut down on the daylight hours that they can work and would be colder for those working outdoors.

Mayor Christensen said a compromise might be the 4-5-9 schedule.

Councilmember Reese Jensen felt the directors know better how to manage their departments than the Council. He did not feel that the Council should dictate how they manage their department. In the end all directors will be held responsible that their department mission has been accomplished. Councilmember Marabella agreed; however, he felt the Council has the responsibility to provide fair and consistent service to all departments. There is a balance between empowerment and policy consistency. Mayor Christensen expressed concern with the citizens knowing who is on duty and what is open if some are on 4-10s and some are on 4-5-9s. She felt it should be the same across the board.

Mr. Leonard said Layton City is on a 9-80 work schedule. They work four days at nine hours a day and on Friday they only work eight hours a day. Four hours of that goes toward one pay period and four hours goes toward the next pay period. Mr. Leonard stated that it should be consistent with every department because it affects vacation, personal leave and paid holidays. Employees get paid eight hours for holidays so the employee has to make up the extra two hours. If each department is on a different shift it would be a nightmare for Payroll. Councilmember Marabella said it is also difficult to schedule meetings if everyone is on a different shift. Mr. Leonard said Layton has been on this schedule since 2006. They open the office one hour earlier in the morning but the doors are not open for the public. This always employees to get more work done without interruption from the public.

MOTION: Councilmember Ericson made a motion to schedule a work session for October 21 at 4:00 to discuss this in more detail. The motion was seconded by Councilmember

Christensen and unanimously carried. Councilmember Ericson suggested redoing the survey so the question on which schedule they prefer is more clear. Councilmember Ruth Jensen said she would like more information on how it is going to affect vacation and overtime. Mr. Peterson asked if the Council would consider 5-10s if it could be done within the same budget. This would provide a lot more service to the citizens. Councilmember Christensen stated that on the days when the department is short staffed other employees would have to fill in and it would be difficult to get their own work done. Mr. Peterson explained that most departments he has talked to could do this schedule, except the Administration Department, and they felt it would be possible if the City had an automated answering machine. Councilmember Marabella felt that citizens would adapt to whatever the City puts in place. The motion unanimously carried.

### **PLANNING COMMISSION BUSINESS**

#### **Request to Approve a Deferring Public Improvement Agreement for Sidewalk at 94 East Skyline Dr, Lot 2, of the Proposed Skyline Commercial Subdivision**

Mr. Mark Bradley came forward and explained that the improvements for Lot 1 in this subdivision have been put in with the Utah Department of Transportation improvements along Highway 89. Lot 2 is a remnant portion of some unapproved area of this existing site. The Planning Commission recommended that this sidewalk be deferred until the site is improved or developed. Staff supported this recommendation.

MOTION: Councilmember Christensen made a motion to approve the deferring public improvement agreement for sidewalk at 94 East Skyline Drive, Lot 2, seconded by Councilmember Ericson.

Councilmember Christensen - aye

Councilmember Ericson - aye

Councilmember Marabella - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Motion carried unanimously.

#### **Request to Approve a Deferring Public Improvement Agreement for Sidewalk at 447/485 South 200 West (Lot 1 & 3) of the Proposed Beeton Subdivision**

Mr. Bradley stated that this is also a request to defer public improvements. Lots 2 and 4 each have a home on it. The applicant originally wanted to split Lots 1 and 2 in half and sell it to his family and keep the remnant portion. However, he realized this would require some adjustments to the property line so he included the other two parcels. Lots 1 and 3 do not have a dwelling on it. In the ranking system there is a paragraph about existing vacant lots being considered when they are developed or a home is built. There is currently curb and gutter and asphalt extended, but no sidewalk. The Planning Commission recommended the sidewalk be deferred until a dwelling is built on the lots. Staff agreed with this recommendation.

MOTION: A motion to approve a deferring public improvement agreement for sidewalk at 447/485 South 200 West for Lots 1 and 3 of the Beeton Subdivision was made by Councilmember Ericson and seconded by Councilmember Christensen.

Councilmember Christensen - aye

Councilmember Ericson - aye

Councilmember Marabella - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Motion unanimously carried.

#### **Vacation of Lot 1, Greener Pasture Subdivision Phase 1, Lot 1 Located at Approximately 1045 South 800 West**

Mr. Bradley explained that this vacation will allow this lot to be part of the preliminary plat for Maple Springs Subdivision below. The Planning Commission recommended approval subject to the replacement providing the easements for the utilities currently in place. Staff is supportive of this recommendation.

MOTION: A motion to approve the vacation of Lot 1, Greener Pasture Subdivision Phase 1, Lot 1 located at approximately 1045 South 800 West was made by Councilmember Reese Jensen and seconded by Councilmember Marabella.

Councilmember Christensen - aye

Councilmember Ericson - aye

Councilmember Marabella - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Motion carried unanimously.

**Preliminary Plat for the Maple Springs Subdivision Located at Approximately 1000 South Medical Drive**

This is a continuation of the previous item. The purpose for vacating Lot 1 is for the preliminary plat in this area. This is a four lot commercial subdivision. Mr. Bradley stated that the Planning Commission had some discussion and concern about access. Staff felt there should be some access between this subdivision and the medical professional subdivision to the north. Planning Commission was concerned with through traffic between 800 West and Medical Drive. There is a proposal for an assisted and independent living facility on Lot 4. With this development there will be a single access onto Medical Drive that would line up with Greenwood Drive. There would only be a service access on 800 West. There was concern with the Planning Commission that there would not be through traffic, but as the applicants met with staff with their concept plan, staff supported their plan and felt that this is one of the better options for this site. A traffic engineer would recommend that there only be one access onto Medical Drive.

Councilmember Reese Jensen asked if the developer anticipates a lot of traffic on the egress and ingress road to the development. Mr. Bradley did not think there would be a lot of traffic. There is going to be an assisted and independent living facilities on part of the site and possibly some medical offices. There would be less traffic than a hospital site, but with Medical Drive being a collector street there will continue to be a lot of traffic. Councilmember Reese Jensen expressed concern whether Emergency Services has any problems with the ability to mass evacuate from the assisted living center if needed. Mr. Bradley said there would be a service access on 800 West so that could be used in an emergency.

MOTION: Councilmember Ericson made a motion to approve the preliminary plat for the Maple Springs Subdivision located at approximately 1000 South Medical Drive.

Councilmember Reese Jensen seconded the motion.

Councilmember Christensen - aye

Councilmember Ericson - aye

Councilmember Marabella - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Motion unanimously carried.

**Zone Change Request from A-5 to R-R-1**

Councilmember Reese Jensen recused himself from this discussion as it involves his family estate.

Mr. Bradley stated that this property is located at 3205 West Forest. The zoning of the adjacent property is PR-1, PA-5 and A-5. The request is consistent with the General Plan.

Councilmember Marabella wanted it on the record that the realtor representing this property is Jeff Packer from All Pro Realty, and Councilmember Marabella is also an employee of All Pro Realty.

Mr. Jeff Packer came forward and stated that they plan to sell these in one acre parcels.

MOTION: Councilmember Christensen moved to approve the request to change the zone on property located at 3205 West Forest from A-5 to R-R-1. The motion was seconded by Councilmember Ericson.

Councilmember Christensen - aye

Councilmember Ericson - aye  
Councilmember Marabella - aye  
Councilmember Ruth Jensen - aye  
The motion carried with a 4-0 vote.

## **MAKING LIFE BETTER - DEPARTMENT REPORTS**

**Blake Fannesbeck** came forward and invited the Council to the Airport Appreciation Day on Saturday, September 20. The ribbon cutting will be held at 11:00 a.m. Life Flight, AirMed, a 1942 Navy Harpoon, and Air Coup will be on display. The Fire Department helicopter and a fire truck will also be on display. Hot dogs and drinks will be available. From noon to 1:30 there will be a bus available to give rides down the runway.

Mr. Fannesbeck met with the new manager of the Union Pacific switching station, Mr. Greg Nolan. He has some very refreshing ideas and attitudes. They will be removing their old building and using their new offices. They have cleaned up the area and have commented that this area is the entrance to the City and want to make it look nice. They want to work with the community and be a good neighbor. He told Mr. Fannesbeck that when 300 North closes they will adjust their schedules so they are not switching during busy traffic hours and shorten the time to ten minutes.

**Lt Vincent** gave a slide show of the drug bust in the Sawtooth Mountain Range. Brigham City's Police Department assisted the Drug Enforcement Administration with a marijuana grow. They recovered 7,140 plants with an estimated street value of over \$7 million. No suspects have been arrested.

## **OTHER BUSINESS**

### **Training on the Leader's Role in Creating a Prepared and Vigilant Community**

Mayor Christensen reminded the Council of the training on the Leader's Role in Creating Vigilant and Prepared Communities. It will be held in Brigham City on October 2.

### **National Mental Health Awareness Week**

Ms. Biggs talked to Mayor Christensen and would like to declare October 5-11, 2008 as National Mental Health Awareness Week. She will be at Council meeting on October 2 to ask for approval of a proclamation, but she would like to advertise before hand. The Council authorized this to be published in the paper.

## **CLAIMS**

### **Payment Register**

Councilmember Ericson moved to approve General Claims dated August 8, 2008 in the amount of \$41,656.24 and \$361,745.63; August 27, \$486,121.31; August 28, \$139,152.63; August 29, \$162,082.42; September 4, \$1,498,544.04; September 9, \$9,752.07; September 16, \$186,307.43; September 17, \$29,957.85. The motion was seconded and carried.

A motion to adjourn to an RDA meeting was made by Councilmember Marabella, seconded and carried unanimously. The meeting adjourned at 9:45 p.m.

The Council returned at 9:47 p.m. A motion to adjourn to an Executive Session was made by Councilmember Marabella. A roll call vote was taken with all councilmembers voting aye. The council closed to an Executive Session at 9:47 p.m. The council returned to an open meeting at 10:10 p.m. and adjourned.